THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 15890 of 2006

Date:26-07-2007

Between:

G.Srirama Murthy and another **.. PETITIONERS**

AND

The Spl.Dy.Collector(TW),Rampachodavaram and another **..**
RESPONDENTS

ORDER:

The petitioners seek a writ of mandamus to declare the proceedings initiated by the 2nd respondent in LRTP No.17/2007, dated 07.04.2007 before the 1st respondent, as illegal and arbitrary.

It is the case of the petitioners that the earlier proceedings initiated against the petitioners in LTRP No.8 of 1979 by the Deputy Collector (Tribal Welfare), Rampachodavaram were dropped holding that there was no prohibited transfer of the lands in the schedule of the said property i.e. Sy.Nos.8/3A, 8/3C and 9/2B.

It is stated that the Special Deputy Collector, Tribal Welfare, Rampachodavaram initiated fresh proceedings in L.T.R.P.No.17 of 2007 in respect of the lands in Sy.Nos.8/3B and 9/2A. These two survey numbers do not figure in the earlier proceedings. But, the learned counsel appearing for the petitioners submits that in fact, the sub-divided Sy.No.8/3B is co-related to Sy.Nos.8/3A, 8/3C and Sy.No.9/2A is also subject matter of the earlier proceedings in LTRP No.8 of 1979.

I am of the opinion that whether there was any subsequent contravention of the land transfer regulation or not and on the same grounds the earlier proceedings were dropped is a matter to be enquired by the first respondent and pass appropriate orders. But, as against the impugned show cause notice alone, I am of the opinion that the writ petition is not maintainable and it is liable to be dismissed.

The writ petition is accordingly dismissed with liberty to put-forth the contentions of the petitioners before the respondents. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:26.07.2007
CCM/DSK